



RICHARD J. CODEY
Acting Governor

New Jersey Office of the Attorney General

Division of Consumer Affairs
New Jersey Cemetery Board
124 Halsey Street, 6th Floor, Newark, NJ 07102



PETER C. HARVEY
Attorney General

KIMBERLY S. RICKETTS
Director

Mailing Address:
P.O. Box 45036
Newark, NJ 07101
(973) 504-6553

"CERTIFIED TRUE COPY"

December 27, 2005

By Certified and Regular Mail

Jesse R. Pebley, President
Hillcrest Memorial Park
P.O. Box 233
Pitman, New Jersey 08071

Re: Offer of Settlement In Lieu of Filing a
Formal Disciplinary Complaint

Dear Mr. Pebley:

This letter is to advise you that the New Jersey Cemetery Board (hereinafter "the Board") has had an opportunity to review information concerning at least five (5) temporary entombments of decedents awaiting permanent entombment in the Hillcrest Memorial Park mausoleum for periods in excess of four years.

Upon review of all available information, including your letters dated September 26, 2005, and November 16, 2005, the Board has preliminarily found that probable cause exists to support a finding that Hillcrest Memorial Park has violated N.J.A.C. 13:44J-8.4(b), in that it temporarily stored human remains prior to final entombment or interment for more than four years.

At this juncture, the Board has preliminarily concluded that the above violations are sufficient to warrant the initiation of formal disciplinary proceedings against Hillcrest Memorial Park. Notwithstanding that decision, however, the Board has determined that it will first offer Hillcrest Memorial Park an opportunity to settle this matter, and thereby avoid the initiation of formal disciplinary proceedings, should Hillcrest Memorial Park consent to:

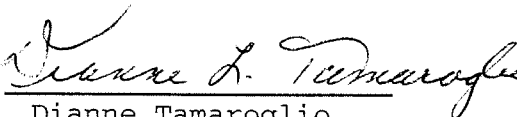
1. pay a penalty in the amount of \$500.00 (to be paid immediately upon your signing of the acknowledgment at the bottom of this letter) comprised of a penalty in the amount of \$100.00 for each violation of N.J.A.C. 13:44J-8.4(b).

If you are willing to settle this matter on the offered settlement terms, you may do so by signing the acknowledgment at the bottom of this letter, and returning it to the Board office. Upon your signature, this letter will be a matter of public record.

In the event Hillcrest Memorial Park is unwilling to settle this matter on the offered terms, it will be referred to the Attorney General's office for the initiation of appropriate enforcement action. In such event, Hillcrest Memorial Park will be afforded an opportunity to defend against the alleged violations. If an evidentiary hearing is deemed warranted the Board will either conduct that hearing at a date and time to be scheduled or refer the matter to the Office of Administrative Law. You are advised, however, that in the event formal charges are filed, the Board may assess civil penalties in an amount greater than those herein offered in settlement should any charges against Hillcrest Memorial Park be sustained. Additionally, the Board may, if the facts are found to so warrant, enter an order requiring Hillcrest Memorial Park to reimburse certain monies and/or requiring Hillcrest Memorial Park to pay the additional costs incurred by the Board. Should you have any questions concerning this letter or the settlement offer herein, I suggest that you have your attorney contact Deputy Attorney General John D. Hugelmeyer, who may be reached at (973) 693-5056.

If Hillcrest Memorial Park elects to settle this matter now, you should sign the acknowledgment at the bottom of this letter and return it to the Board within thirty (30) days following your receipt of this letter. In the event that the Board receives no response from you within thirty (30) days, the Board's settlement offer will be withdrawn, and the matter will be referred to the Attorney General's Office for the initiation of appropriate enforcement proceedings.


NEW JERSEY CEMETERY BOARD

By: 
Dianne Tamaroglio
Executive Director

JAN 30 2006

ACKNOWLEDGMENT: I, Jesse R. Pebley, President of Hillcrest Memorial Park, hereby acknowledge that I have read and reviewed the settlement proposal set forth in the above letter, and that I am authorized to act on behalf of Hillcrest Memorial Park with regard to the preliminary findings of the Board set out herein. I acknowledge the conduct which has been charged. I am aware that, by signing this acknowledgment, I am waiving any rights Hillcrest Memorial Park may have to defend itself against any charges of wrongdoing at an administrative hearing. I am also aware that the action taken against Hillcrest Memorial Park by the Board herein is a matter of public record, and that this letter is a public document. Hillcrest Memorial Park hereby agrees to pay a penalty in the amount of \$500.00 (to be paid upon signing of this acknowledgment).

Dated: 1/25/06



Jesse R. Pebley, President
Hillcrest Memorial Park

cc: John D. Hugelmeyer, Deputy Attorney General
Peter Platten, Esq., Attorney for Hillcrest Memorial Park

HILLCREST MEMORIAL PARK ASSOCIATION

P O BOX 233
PITMAN, NJ 08071-0233
(856) 589-7550

THE BANK
MICKLETON, NJ 08056
55-763/312

15550

1/25/2006

PAY TO THE
ORDER OF

New Jersey Cemetery Board

\$ **500.00

Five Hundred and 00/100*****

DOLLARS

New Jersey Cemetery Board
PO Box 45036
Newark NJ 07101

Joseph R. Peck

MEMO

MALONEY DOCKET #05-018 OFFER OF SETTLE

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